

Legislative Reference Service

WEEK ENDING 2-16-01

NO. 3

CODE ENFORCEMENT

H-5863 AMUSEMENT RIDE SAFETY (McCauley) This act would revise the inspection procedures regarding amusement attractions and rides, and the procedures for the appointment of authorized amusement ride inspectors. H.E.W.

H-5880 FIRE SAFETY CODE (McCauley & Others) This act would provide that the maximum occupant load permitted in any apartment unit, house or public place shall be 50 square feet per person. H.E.W.

H-5911 LEAD POISONING PREVENTION (Corvese & Others) This act would permit property owners of homes built prior to 1978 to install replacement windows without the necessity of any building permits. H.E.W.

H-6053 ELECTRICAL PERMITS (Pires) This act would require that electrical work associated with the installation of siding be performed by a licensed electrician, and mandates that siding permits shall only be issued in conjunction with electrical permits. Labor

S-439 STATE BUILDING CODE DRAWINGS AND SPECIFICATIONS (Hunter) This act would require plans and specifications to be prepared by a professional engineer or registered architect licensed per Rhode Island Law. Corporations

S-445 LOCAL BUILDING OFFICIALS (Hunter) This act would amend the provisions of the law related to qualification, certification, and continuing education programs affecting the local building officials and local inspectors. Corporations

S-471 LEAD POISONING PREVENTION (Montalbano & Others) This act would permit property owners of homes built prior to 1978 to install replacement windows without the necessity of any building permits. H.E.W.

S-485 AMUSEMENT RIDE SAFETY (Parella & Others) This act would revise the inspection procedures regarding amusement attractions and rides, and the procedures for the appointment of authorized amusement ride inspectors. Corporations

S-487 INSPECTION FEES (Tassoni & Others) This act would raise smoke detector inspection fees to \$30.00. Corporations

EDUCATION AND SCHOOLS

H-5865 SCHOOL CALENDAR (Costantino & Others) This act would provide that local boards of education shall adopt a school calendar consisting of an average of 6 hours of instruction in each school day. H.E.W.

H-5879 OPEN MEETINGS (Quick – By Request) This act would delete the requirement that a school committee publish its agenda in newspapers, and would allow school committees to add additional items to an agenda. H.E.W.

H-5895 COMPULSORY ATTENDANCE (Reilly & Others) This act would raise from 16 to 18 the compulsory age for attendance by children at school. H.E.W.

H-5899 CIVIL EDUCATION COMMISSION (Henseler & Others) This act would create a permanent legislative commission to create materials regarding civil education to be utilized by elementary and secondary schools. H.E.W.

H-5908 TRUANCY OUTREACH (Smith & Others) This act would authorize the Department of Human Services, the Department of Elementary and Secondary Education, and the local school districts to establish an information-sharing methodology for verifying the residency of families with children who are beneficiaries of the family independence programs administered by the Department of Human Services. H.E.W.

H-5910 LENGTH OF SCHOOL DAY (Crowley) This act would increase the length of a school day by 15 minutes in each of the years 2002, 2003, 2004, and 2005. H.E.W.

H-5913 PROFICIENCY REQUIRED (Crowley & George) This act would require 4th grade students to demonstrate certain proficiencies in their state assessment prior to being advanced to the 5th grade. H.E.W.

H-5915 PHYSICAL EDUCATION (Cicilline & Others) This act would allow secondary school level students to participate in a number of physical activities outside of the physical education class. These activities would fulfill the physical education requirement, providing the students greater time within the school day to pursue other educational opportunities. H.E.W.

H-5918 TEACHER CERTIFICATION (Crowley) This act would repeal the section of law which allows for the issuance of a teaching certificate without a satisfactory score on the standardized teacher's exam. H.E.W.

H-5919 DISRUPTIVE STUDENTS (Kilmartin) This act would give the Board of Regents for Elementary and Secondary Education the authority to require parents of chronically disruptive students to attend conferences. H.E.W.

H-5921 TEACHERS' TENURE (Abdullah-Odiase & Slater) This act would permit teachers employed under a continuing contract to resign prior to August 1st without any penalty. H.E.W.

H-5922 ATHLETIC COACHES (Crowley) This act amends the laws pertaining to the certification of athletic coaches by requiring that all applicants for such certificates undergo a nationwide criminal records check. H.E.W.

H-5924 SCHOOL SAFETY TEAMS (McNamara & Corvese) This act would require each city, town and regional school committee to appoint school safety teams to develop school safety plans and school emergency response plans in order to effectively prepare for acts of violence and other emergencies which potentially arise in school settings. H.E.W.

H-5938 RESIDENCE OF CHILDREN (Long & Others) This act would provide that D.C.Y.F. pay to the cities and towns the entire cost of educating students placed in a school system by D.C.Y.F. Finance

H-5976 HEALTH CARE FACILITIES (Watson) This act would define "school based health centers", and include school based health centers in the definition of health care facility with respect to the licensing requirements pursuant to current law. H.E.W.

H-6015 CRIMINAL RECORDS CHECK (Crowley) This act would create a criminal records check to be administered as part of a teacher's certification process. H.E.W.

H-6016 REGIONAL VOCATIONAL SCHOOLS (Crowley) This act would provide that the Board of Regents for Elementary and Secondary Education establish a comprehensive system of state-certified regional career and technical education centers, to be fully funded by the state. H.E.W.

H-6018 RESIDENCE OF CHILDREN (Crowley) This act would provide additional regulations with respect to children placed in a group home or other residential facility, and those children's entitlement to free, appropriate public education, as provided to all other children of a particular city/town. Finance

H-6019 TEACHER SALARIES (Crowley) This act would amend certain sections dealing with school teacher salaries. Finance

H-6020 TEACHER CERTIFICATION (Crowley) This act would amend the provisions of the General Laws pertaining to standardized testing and issuance of certification to teachers. H.E.W.

S-418 KINDERGARTEN (Sheehan & Others) This act would increase the appropriation to the full day Kindergarten Investment Fund. Finance

S-422 ALTERNATIVE SCHOOL INVESTMENT FUND (Walsh & Others) This act would create an alternative school investment fund to help support school based programs for students prone to suspension. Finance

S-448 MINIMUM SALARY SCHEDULE (Gallo & Others) This act would require a base salary for certified employees at the first step to be not less than 51% of the base salary for certified employees at the highest step. Finance

S-450 SCHOOL-TO-CAREER PROGRAM (Gallo & Others) This act would establish a school-to-career program tax credit for businesses which invest in programs that integrate traditional classroom education with industry skill training. Finance

S-452 REGIONAL VOCATIONAL SCHOOLS (Gallo & Others) This act would establish a comprehensive system of state-certified regional career and technical centers, to be fully funded by the state. Finance

S-457 MINIMUM SALARY FOR SCHOOL ADMINISTRATORS (Gallo & Izzo) This act would require the base salary for a school administrator to be no less than 125% of the base salary of certified employees at the highest step of the teachers' salary schedule. Finance

S-464 ATHLETIC COACHES (Gallo & Others) This act would require criminal background checks for any coaching applicants in any elementary, junior or high school athletic program. H.E.W.

S-467 CRIMINAL RECORDS CHECK (Gallo & Tassoni) This act would require an applicant for initial certification to apply for a nationwide criminal records check. H.E.W.

S-468 TEACHER CERTIFICATION (Gallo) This act would require the Board of Regents to adopt and implement a method of assessing teacher skills as required by Rhode Island's beginning teacher standards, no later than September 1, 2002. This act would also require a passing score on such teacher assessment before an applicant shall receive teacher certification. H.E.W.

ELECTIONS

H-5855 MAIL BALLOTS (Costantino & Others) This act would provide that a qualified elector be eligible to vote by mail ballot if warranted by circumstances manifested 7 days prior to election. Special Legislation

H-5858 CLOSING OF POLLS (Shanley & Others) This act would set the statewide poll closing time as 8:00 p.m. Special Legislation

H-5860 BILINGUAL POLL WORKERS AND NON-ENGLISH BALLOTS (Williams & Others) This act would provide for the preparation of ballots in a language other than English for use in certain cities and towns wherein the use of such non-English ballots is warranted. This act would also require that workers who speak languages other than English be available at certain polling places. Special Legislation

S-393 NOMINATION PAPERS (Montalbano & Others) This act would require that nomination papers, issued by the Secretary of State, be delivered personally to the candidate or to other persons designated in the act. Judiciary

ENVIRONMENT

H-5931 LAND USE AND WATER USE REGULATIONS (Naughton & Others) This act would expand and define the power of the CRMC with regard to land and water use regulations. Environment & Energy

H-5966 INSPECTION OF DAMS (Watson) This act would create a new dam registration and repair program within the Department of Environmental Management and the Rhode Island Emergency Management Agency to address aging dams. This act would also allow for notice to owners of regulated dams upon

issuance of a certification of completeness for an application for a land development or subdivision project, and for changes in local zoning ordinances. In addition, this act would authorize cities and towns of the state to adopt ordinances creating dam management districts for dams, the boundaries of which may include all or part of a city/town as specified by the ordinance. Environment & Energy

H-5991 ENERGY FACILITY SITING (Long & Others) This act would include all utility companies to which a city/town may request funding from the applicant of a construction project for studies of local environmental effects. Corporations

H-6089 RESOURCE RECOVERY (Bierman & Others) This act would state the mission of the Rhode Island Resource Recovery Corporation. Corporations

FINANCE AND TAXATION

H-5930 HOTEL TAX (Lewiss & Kennedy) This act would make changes to the hotel tax. Finance

H-5957 PETITION FOR RELIEF FROM ASSESSMENT (Long) This act would amend the appeal procedures for taxpayers seeking a reduction in property taxes. Corporations

H-5963 MAXIMUM LEVY – UPDATES (Fleury & Others) This act adds language to city and town tax levies by adding after the word “revaluation” the words “or update”. Corporations

H-5998 LOW INCOME HOUSING (Reilly & Others) This act would reduce the taxation applicable to qualifying low income housing, and make such taxation applicable to residential properties issued occupancy permits, as defined by the U.S. Department of Housing and Urban Development. Corporations

H-6024 FARM BUILDINGS (Henseler & Others) This act would permit cities and towns to tax farm buildings at a rate that reflects the actual cost to the cities and towns for providing services to the buildings. Corporations

H-6051 PETITION FOR RELIEF FROM ASSESSMENT (Pires) This act would provide that appeals applications to the local office of tax assessment shall be forwarded to the local board of review upon request of the taxpayer. Corporations

H-6054 NON-UTILIZATION TAX (Almeida & Others) This act would provide for capitalizing the Rhode Island Housing and Conservation Trust Fund with both public and private funds, and appropriates funds for additional staff in the Department of Administration to perform functions required by the Comprehensive Planning and Land Use Regulation Act. Finance

H-6063 SCHOOL HOUSING AID (Menard & Others) This act would increase state aid for new construction/expansion for school districts that experience at least 4% increase in enrollment for 3 consecutive years. Finance

S-370 PAYMENT IN LIEU (Ruggerio & Others) This act would increase the annual appropriation for payment to cities and towns in which private non-profit or state-owned property is located from 27% to 30%. Finance

S-407 SEWAGE CHARGES (Irons & Others) This act would allow cities/towns to pledge or expend revenues derived from the assessment of charges for the payment of debt service, including principal, premium, if any, and interest on bonds or notes the proceeds of which will be used for the maintenance, repair, replacement, expansion, or operation of the sewer system and sewer disposal or treatment works of the cities and towns. Corporations

S-447 PAYMENT IN LIEU (Cicilline & Others) This act would increase the contribution for properties eligible under the PILOT Program to 35% of all tax that would normally be collected. Finance

S-449 SCHOOL HOUSING AID (Hunter & Others) This act would increase state aid for new construction/expansion for school districts that experience at least 4% increase in enrollment for 3 consecutive years. Finance

S-459 FARM BUILDINGS (Sosnowski & Others) This act would permit cities and towns to tax farm buildings based upon the city's or town's expense for servicing said buildings. Finance

LABOR RELATIONS

H-6079 LABOR DISPUTES (Lally & Others) This act would require parties meet and negotiate as a condition for the issuance of a temporary or permanent injunction in any public sector labor dispute. Judiciary

S-473 PREVAILING WAGE (Ruggerio & Others) This act would require public agencies and quasi-public agencies to require payment of prevailing wages when awarding contracts. Labor

S-474 ARBITRATION (Ruggerio & Others) This act would stipulate that an erroneous interpretation or misapplication of the law by an arbitrator not be subject to judicial review, and further provides that an award by an arbitrator be vacated as to public policy if the public policy is defined in the Rhode Island Constitution and/or the Rhode Island General Laws. Labor

S-477 FIREFIGHTERS' ARBITRATION (Gallo & Others) This act would require that the rights or benefits conferred upon employees by an expiring collective bargaining agreement would continue until a new agreement is ratified. Labor

S-480 FIREFIGHTERS' ARBITRATION (Gallo & Others) This act would require that the rights or benefits conferred upon employees by an expiring collective bargaining agreement would continue until a new agreement is ratified. Labor

S-481 COLLECTIVE BARGAINING AGREEMENTS (Ruggerio & Others) This act would provide that collective bargaining agreements supersede city/town charters. Labor

LIQUOR CONTROL AND LICENSES

H-5928 REVOCATION OR SUSPENSION OF LICENSES (Lewiss & Others) This act would prohibit a licensee from obtaining a stay of revocation, suspension or nonrenewal of a liquor license if the basis of the revocation, suspension or nonrenewal was the conviction of the licensee of the manufacture, sale or distribution of a controlled substance. Corporations

H-6083 CLASS N NIGHTCLUB LICENSE (Moura & Others) This act would provide for the creation of a Class N nightclub license to be held by certain retail sellers of alcoholic beverages. Special Legislation

H-6084 CLASS B LIQUOR LICENSES (Corvese & Others) This act would prevent a local licensing board from authorizing a Class B license holder to remain open until 2:00 a.m. on Fridays, Saturdays and pre-holiday nights. Special Legislation

S-440 SUNDAY BUSINESS (Caprio & Others) This act would repeal the prohibition on Sunday business for motor vehicle sales. Corporations

PLANNING AND ZONING

H-5986 ZONING – PERMITTED USES (Levesque) This act amends the law regarding zoning ordinances and accessory family dwelling units. Corporations

H-6005 ZONING – PERMITTED USES (Kilmartin) This act would allow pharmacies to have a drive-thru window for prescription fulfillment to serve the elderly, ill and infirm, if in conformance with dimensional and safety requirements of the municipality in which they are located. Corporations

H-6091 COMPREHENSIVE PLANNING (SanBento & Others) This act would require that comprehensive planning and land use be accomplished through reasonable, objective standards and criteria. Corporations

S-382 COMPREHENSIVE PLANNING (Revens) This act would require that comprehensive planning and land use be accomplished through reasonable, objective standards and criteria. Judiciary

PUBLIC SAFETY – POLICE AND FIRE

H-5857 SIRENS AND LIGHTS (Menard & Others) This act would prohibit all emergency medical transportation services, except for municipal ambulances, from using emergency sirens and lights unless under emergency conditions. Special Legislation

H-5870 NOTIFICATION OF INFECTIOUS DISEASES (Ginaitt & Others) This act would provide that the definition of infectious disease would include, but not be limited to, HIV, HBV, and HCV. H.E.W.

H-5884 BREATH ANALYSIS (Caprio & Others) This act would create a breath analysis and alcohol awareness coordinator within the Department of Health. H.E.W.

H-5885 CRIMINAL RECORDS REVIEW (Brien & Others) This act would require NCIC checks and fingerprinting of persons working for nursing home facilities. H.E.W.

H-5917 CRIMINAL RECORDS CHECK (Tejada & Others) This act would require the Department of Children, Youth and Families to reimburse local police departments for costs reasonably incurred in conducting criminal background checks for youth service and child care workers. H.E.W.

H-5927 MOTOR VEHICLES – TOWING (Lewiss & Others) This act would allow police, with a property owner's permission, to enter the property and ticket automobiles for towing. Corporations

H-5968 ACCIDENT REPORTS (Long) This act establishes a uniform statewide motor vehicle accident police report. It would also require all law

enforcement officers to submit accident reports to the Department of Transportation by electronic mail. Highway Safety

H-6080 CHEMICAL TEST (McNamara & Others) This act would allow a peace officer to administer a chemical test with a search warrant if the peace officer believes that an individual has operated a motor vehicle under the influence, and that individual has refused to take a chemical test. Judiciary

S-417 TELECOMMUNICATIONS TECHNOLOGY (Enos & Others) This act would require the administrator of motor vehicles to establish, provide, and maintain an integrated data processing system to facilitate the transaction of business by the public, business, and law enforcement agencies. The system would be accessible through at least five kiosks where high volumes of trade are conducted. Finance

S-428 ACCIDENT REPORTS (Algieri) This act establishes a uniform statewide motor vehicle accident police report. It would also require all law enforcement officers to submit accident reports to the Department of Transportation by electronic mail. Judiciary

S-430 CHEMICAL TEST (Polisena & Others) This act would allow a peace officer to administer a chemical test with a search warrant if the peace officer believes that an individual has operated a motor vehicle under the influence, and that individual has refused to take a chemical test. Judiciary

S-434 NFPA 1500 (Gallo & Polisena) This act would impose a fine for failure to comply with the requirement that fire departments implement NFPA 1500. Corporations

S-498 RESERVE POLICE OFFICERS (Ruggerio & Others) This act would permit cities and towns to create reserve police forces. Corporations

S-499 POLICE AND FIRE DEPARTMENTS (Ruggerio & Others) This act would prohibit cities and towns from consolidating their respective police and fire departments. Corporations

RETIREMENT

H-6017 TEACHERS' RETIREMENT (Crowley) This act would allow retired teachers to work as substitute teachers without reducing their pay, provided they meet certain procedures. Finance

H-6031 COMPACT FOR PENSION PORTABILITY FOR EDUCATORS (Crowley) This act would change the word "compact" to "chapter" and changes various definitions. Finance

S-368 SERVICE RETIREMENT ALLOWANCES (Ruggerio & Others) This act would slightly increase the amount of the service retirement allowance, and slightly decrease the minimum number of years necessary for the maximum pension for teachers and all other participants in the state retirement system. Finance

S-456 TEACHERS' RETIREMENT (Gallo & Izzo) This act would allow retired teachers to work as substitute teachers without reducing their pay, provided they meet certain procedures. Finance

TOWN AND CITY CLERKS

H-5872 GUARDIANSHIP OF ADULTS (Simonian & Others) This act would allow chemical, drug, and/or alcohol dependency as a basis for establishing a guardianship over a person. The guardian would need to be an immediate family member of the ward. H.E.W.

H-5916 INTERNATIONAL ADOPTION (Giannini & Others) This act establishes a division within the Office of the Secretary of State for the registration of birth certificates and adoption decrees for foreign born individuals. It also provides a procedure for the readoption of said individuals within the State of Rhode Island. H.E.W.

H-5944 PUBLIC RECORDS (Ginaitt & Fox) This act would amend the definition of public record, and would require a balancing test to determine whether parts of a disputed record should be deemed "public". Judiciary

S-386 BIRTH CERTIFICATES (Walsh) This act would allow persons placed for adoption prior to 1944 to obtain a copy of their original birth certificate upon request. Judiciary

S-387 ACCESS TO RECORDS (Walsh & Walton) This act allows adult adoptees to inspect and/or copy records of their adoption. Judiciary

S-397 PROBATE NOTICE (Paiva Weed & Others) This act would amend certain notice requirements relative to probate practice and who must be notified in the event of a devise to a corporation or voluntary association. Judiciary

MISCELLANEOUS

H-6055 UNREASONABLE NOISE LEVELS (Trillo & Others) This act would subject any person who creates unreasonable sound levels from audio equipment to fines. Judiciary

H-6075 MARINE TERMINAL (Moura) This act would require an agency that acquires a marine terminal for public use to first provide an alternative marine terminal of equal size and depth. Finance

H-6088 DISTRICT MANAGEMENT AUTHORITIES (Moura & Others) This act would authorize cities and towns to create district management authorities for the purpose of providing the services and undertaking the activities to supplement the services provided by municipal government. Corporations

S-444 INTERLOCAL RISK MANAGEMENT TRUST (Bates) This act would provide a penalty for failure of the Interlocal Risk Management Trust to file audited financial statements with the insurance commissioner. The act also requires that amendments to the trust's plan of operation are subject to the prior approval of the insurance commissioner. Corporations

S-461 MILL BUILDING AND REVITALIZATION ACT (Algiere & Parella) This act would allow a portion or portions of certified buildings to be designated as separate buildings, and provides technical changes for regulatory and consistency purposes. Finance

S-475 WORKPLACE VIOLENCE (Gallo & Others) This act creates "The Rhode Island Workplace Violence Protection Act of 2001". Labor

S-488 MUNICIPAL PURCHASING (Ruggerio & Others) This act would establish various criteria for determining the responsibility of competitive bidders for municipal contracts. Corporations